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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA
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12 MICHAEL RANDALL,

13 Plaintiff,

14 v.

15 INTEGRATED COMMUNICATION
16 SERVICE INC,

17 Defendant.

18 CASE NO. 3:20-cv-05438-DGE

19 ORDER GRANTING IN PART
20 MOTION FOR ATTORNEYS'
21 FEES, COSTS, AND SERVICE
22 AWARD (DKT. NO. 126)

23 Upon consideration of Plaintiffs' motion for approval of attorneys' fees and costs and
24 service awards (Dkt. No. 126), the Court GRANTS Plaintiffs' motion and ORDERS as follows:

- 25 1. Notice to the Class, including information regarding the requested award of attorneys'
26 fees and costs, was directed to Class Members in a reasonable manner, and complied with
27 Rule 23(h)(1) of the Federal Rules of Civil Procedure. (*See* Dkt. Nos. 130, 131, 132.)
28 2. Class Members have been given the opportunity to object in compliance with Federal
29 Rule of Civil Procedure 23(h)(2).

- 1 3. No Class Member has objected to the requested fees and expenses and service awards.
- 2 (Dkt. No. 132 at 4.)
- 3 4. Class Counsel also seek reimbursement of actual out-of-pocket costs of \$28,226.11,
- 4 which are documented in the declarations of Class Counsel. (Dkt. No. 121 at 26–27.)
- 5 5. Plaintiffs' fee request of \$733,333.33 represents one-third (1/3) of the Gross Settlement
- 6 Amount, which is reasonable under both applicable law, and in light of the contingent
- 7 risk, factual and legal risks, the complex and protracted nature of the case, and strong
- 8 result for the Class.
- 9 6. Class Counsel are entitled to recover the out-of-pocket costs and litigation expenses they
- 10 reasonably incurred in investigating, prosecuting, and settling this case. The Court finds
- 11 that Class Counsel's out-of-pocket costs and expenses of \$28,226.11 are documented,
- 12 and reasonable and necessary to the prosecution of this action, in light of the protracted
- 13 nature of the case, the vigoroussness of Defendants' legal defense, the motion practice,
- 14 amount of documentary evidence, the mediation and arms'-length negotiations necessary
- 15 to achieve the settlement.
- 16 7. The Court FINALLY APPROVES Class Counsel's request for attorneys' fees in the
- 17 amount of one-third of the Gross Settlement Amount, for a total of \$733,333.33, pursuant
- 18 to the terms of the Class and Collective Action Settlement Agreement that the Court has
- 19 preliminarily approved. However, any costs incurred in distributing the supplemental
- 20 notice (Dkt. No. 131 at 3) shall be deducted from Class Counsel's attorneys' fees and not
- 21 from the Gross Settlement Amount.
- 22 8. The Court FINALLY APPROVES Class Counsel's request for actual out-of-pocket costs
- 23 in the amount of \$28,226.11.

9. The Court further finds that the requested service awards are fair and reasonable for the service Plaintiffs Michael Randall and Allen Finney provided to the Classes and Collective and the broader release they executed than the Class and Collective Members.

10. The Court FINALLY APPROVES the payment of Service Awards to Plaintiffs Michael Randall and Allen Finney in the amount of \$15,000 each.

Dated this 29th day of March 2024.



David G. Estudillo
United States District Judge